

JAN 21 2022

A BILL FOR AN ACT

RELATING TO THE KAHO'OLAWA ISLAND RESERVE COMMISSION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Through Act 340, Session Laws of Hawaii 1993,
2 the legislature found that the island of Kaho'olawe was of
3 significant cultural and historic importance to the native
4 people of Hawaii. The legislature also found that, due to
5 extensive erosion and other ecological problems, the presence of
6 unexploded ordnance, the existence of archaeological and other
7 cultural and historic sites, and the presence of native and
8 endangered flora and fauna, a new management regime was needed
9 to effectively meet the unique challenges of restoring,
10 preserving, and determining the appropriate use for Kaho'olawe.

11 The legislature finds that the Kaho'olawe island reserve
12 commission was funded predominantly by a dwindling trust fund
13 created in 1994 during the federal cleanup of unexploded
14 ordnance on Kaho'olawe. Although the funding was a considerable
15 amount at the time, the federal appropriations totaling
16 approximately \$44,000,000 over a period of several years was not



1 substantial enough to establish a sustainable endowment for the
2 long-term restoration of Kaho'olawe.

3 As stated in the federally mandated Kaho'olawe island
4 conveyance commission final report to Congress in 1993, "In the
5 short term, federal funds will provide the bulk of the program
6 support for specific soil conservation projects and related
7 activities. In the longer term, however, state revenues will be
8 needed to continue and enhance those activities initiated with
9 federal funds."

10 From 1994 until 2016, federal funding allowed the Kaho'olawe
11 island reserve commission to establish many innovative programs
12 that emphasize ancestral and traditional knowledge, use a
13 cultural approach of respect for and connectivity to the
14 environment, and integrate ancient and modern resource-
15 management techniques.

16 The legislature finds that in 2004, the management and
17 control of the Kaho'olawe island reserve was transferred from the
18 United States Navy to the State, with the Kaho'olawe island
19 reserve commission designated as the state agency to oversee the
20 use and restoration of the reserve. During the years since
21 taking responsibility for the reserve, the Kaho'olawe island



1 reserve commission has been able to develop innovative,
2 restoration projects that are effective in Kaho'olawe's extremely
3 harsh conditions and will serve as the foundation for the future
4 restoration of the island.

5 The legislature notes that a fiscal audit of the Kaho'olawe
6 rehabilitation trust fund was performed by the office of the
7 auditor in 2013, who reported two key findings. First, and more
8 importantly, the trust fund would be depleted by 2016. Second,
9 the Kaho'olawe island reserve commission lacked a comprehensive
10 and quantifiable restoration plan with performance measures to
11 gauge whether objectives are being met.

12 In 2013, the Kaho'olawe island reserve commission embarked
13 on the development of a 2026 strategic plan for Kaho'olawe,
14 marking fifty years of occupation of Kaho'olawe by the people of
15 Hawaii and laying out a pathway for the future use and
16 management of the Kaho'olawe island reserve. After a two-year
17 effort that engaged Hawaii's residents through numerous
18 community meetings and focus-group sessions held on multiple
19 occasions on each of the islands, the multi-organizational
20 Kaho'olawe strategic planning working group developed an island-
21 wide, community-based strategic plan, entitled "I Ola Kanaloa",



1 or "Life to Kanaloa", that addresses the future restoration,
2 management, and uses of Kaho'olawe for the State, the people of
3 Hawaii, and a possible future sovereign Native Hawaiian entity.

4 The legislature also finds that Act 49, Session Laws of
5 Hawaii 2017, provided general funds and authorized fifteen
6 positions for fiscal years 2017-2018 and 2018-2019. These funds
7 allowed the Kaho'olawe island reserve commission to continue its
8 mission in the near term, but was only enough to support
9 staffing, Maui-based facilities, and limited Maui-based
10 operations. Some additional funding was appropriated in Act
11 140, Session Laws of Hawaii 2018, which provided additional
12 general funds for Kaho'olawe island safety and operations.

13 This funding allowed the Kaho'olawe island reserve
14 commission to make great strides in the restoration of
15 Kaho'olawe's natural and cultural resources, but in order to
16 continue and protect the accomplishments already made,
17 additional funding is needed to support Kaho'olawe island
18 operations, safety, and infrastructure. In addition, funding is
19 needed to restore the Kaho'olawe island reserve specialist II and
20 Kaho'olawe island reserve specialist III positions, two critical
21 positions necessary to support safety and logistical functions



1 and on-island restoration efforts and sustainability field
2 projects while on Kaho'olawe and to act as boat crew while on
3 Kaho'olawe island reserve commission vessels.

4 Accordingly, the purpose of this Act is to appropriate
5 funds to the department of land and natural resources for the
6 Kaho'olawe island reserve commission to effectively meet the
7 unique challenges of restoring, preserving, and determining the
8 appropriate uses of the Kaho'olawe island reserve for the people
9 of Hawaii.

10 SECTION 2. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$500,000 or so much
12 thereof as may be necessary for fiscal year 2022-2023 in natural
13 and physical environment (LNR906) for the Kaho'olawe island
14 reserve commission.

15 The sum appropriated shall be expended by the department of
16 land and natural resources for the purposes of this Act.

17 SECTION 3. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$72,000 or so much
19 thereof as may be necessary for fiscal year 2022-2023 to fund
20 two full-time equivalent (2.00 FTE) permanent positions in



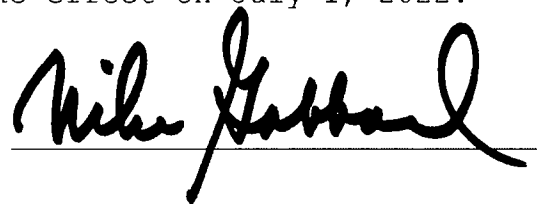
1 natural and physical environment (LNR906) for the Kaho'olawe
2 island reserve commission.

3 The sum appropriated shall be expended by the department of
4 land and natural resources for the purposes of this Act.

5 SECTION 4. This Act shall take effect on July 1, 2022.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Mike Hubbard", is written over a horizontal line.



S.B. NO. 3013

Report Title:

Kaho'olawe Island Reserve Commission; Appropriations

Description:

Appropriates funds for the Kaho'olawe island reserve commission and to fund two full-time equivalent permanent positions for the Kaho'olawe island reserve commission.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

